

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 04-10317-RCL
)	
ANDREW LEWIS)	

UNOPPOSED MOTION TO
MODIFY CONDITIONS OF PRETRIAL RELEASE

Defendant, Andrew Lewis, moves this Court to modify his conditions of pretrial release to release him from electronic monitoring and instead impose the condition that defendant report in person to Pretrial Services once a week and by telephone once a week as directed by Pretrial Services. As grounds for this motion, the defendant through counsel states the following:

1. The defendant was arrested on October 14, 2004 and charged by complaint with receipt of child pornography in violation of 18 U.S.C. §2252(a)(2).
2. He was conditionally released October 18, 2004 by Magistrate Judge Dein. A major condition of release was that defendant be under house arrest to be monitored electronically.
3. Pretrial Services reports that the defendant has been compliant with all conditions of release. The defendant has been released from Electronic Monitoring to attend to a number of medical and legal appointments, as well as to spend time with his father in the past. Each time has returned as instructed and without incident.
4. Magistrate Judge Dein, with the assent of the government, ordered that defendant be allowed off of electronic monitoring in order to obtain and maintain employment at the Salem Home Depot. Defendant has been working full time since July 20, 2005. He has returned each day without incident.

5. The defendant's father, Steven Lewis, suffers from ALS (a/k/a Lou Gehrig's disease), an ultimately terminal condition. His neurological deterioration has progressed to the point where he is homebound and thus unable to travel. His long-term prognosis is poor. He has recently been scheduled to be switched to hospice care.
6. Given defendant's demonstrated compliance history and desire to spend as much time as possible with his father, Pretrial Services has suggested that defendant's conditions of release be modified to eliminate electronic monitoring. Pretrial Services, however, requires judicial approval by the Court in order to modify the condition. All other conditions, including unsupervised contact with minors, will remain the same.
7. The government does not oppose this motion.

ANDREW LEWIS
By his attorney,

/s/ Timothy G. Watkins
Timothy Watkins
B.B.O. #567992
Federal Defender Office
408 Atlantic Ave., 3rd Floor
Boston, MA 02110
Tel: 617-223-8061